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State of Utah

Department of Natural Resources

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas & Mining

JOHN R. BAZA
Division Director

JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

Inspection Report

Permit Number:	C0070013
Inspection Type:	TECHNICAL
Inspection Date:	Thursday, November 02, 2006
Start Date/Time:	11/2/2006 2:00:00 PM
End Date/Time:	11/2/2006 3:45:00 PM
Last Inspection:	

Representatives Present During the Inspection:
David Shaver Manager, Technical Services

Inspector: Dave Darby, Environmental Scientist III

Weather: clear, cool

InspectionID Report Number: 1124

Accepted by: whedberg
11/27/2006

Permitee: **UTAHAMERICAN ENERGY INC**
Operator: **UTAHAMERICAN ENERGY INC**
Site: **HORSE CANYON MINE**
Address: **PO BOX 986, PRICE UT 84501**
County: **CARBON**
Permit Type: **PERMANENT COAL PROGRAM**
Permit Status: **ACTIVE**

Current Acreages

1,327.75	**Total Permitted**
87.00	**Total Disturbed**
61.65	**Phase I**
	Phase II
	Phase III

Mineral Ownership

- [x] **Federal**
- [x] **State**
- [x] **County**
- [x] **Fee**
- [ ] **Other**

Types of Operations

- [x] **Underground**
- [ ] **Surface**
- [ ] **Loadout**
- [ ] **Processing**
- [ ] **Reprocessing**

Report summary and status for pending enforcement actions, permit conditions, Division Orders, and amendments:

The purpose of the site visit was to conduct a technical review of the rebuilt Refuse Pile undisturbed channel. Nielson Construction (Mark Greenhalgh) reconstructed the Horse Canyon Refuse Pile channel on September 22 and 23rd. An onsite technical review was conducted at the Horse Canyon Refuse pile on November 2, 2006, with the mine representative, Dave Shaver and engineering contractor, Nielson Construction, Mark Greenhalgh. During a previous technical inspection, some concerns about the riprap placement were identified that required explanation or mitigation. During the visit we discussed those concerns.

Inspector's Signature: Dave Darby, Environmental Scientist III
Inspector ID Number: 18

Date Friday, November 03, 2006

Note: This inspection report does not constitute an affidavit of compliance with the regulatory program of the Division of Oil, Gas and Mining.

REVIEW OF PERMIT, PERFORMANCE STANDARDS PERMIT CONDITION REQUIREMENTS

1. *Substantiate the elements on this inspection by checking the appropriate performance standard.*
   a. *For COMPLETE inspections provide narrative justification for any elements not fully inspected unless element is not appropriate to the site, in which case check Not Applicable.*
   b. *For PARTIAL inspections check only the elements evaluated.*
2. *Document any noncompliance situation by reference the NOV issued at the appropriate performance standard listed below.*
3. *Reference any narratives written in conjunction with this inspection at the appropriate performace standard listed below.*
4. *Provide a brief status report for all pending enforcement actions, permit conditions, Divison Orders, and amendments.*

	Evaluated	Not Applicable	Comment	Enforcement
1. Permits, Change, Transfer, Renewal, Sale	☐	☐	☐	☐
2. Signs and Markers	☐	☐	☐	☐
3. Topsoil	☐	☐	☐	☐
4.a Hydrologic Balance: Diversions	☑	☐	☑	☐
4.b Hydrologic Balance: Sediment Ponds and Impoundments	☐	☐	☐	☐
4.c Hydrologic Balance: Other Sediment Control Measures	☐	☐	☐	☐
4.d Hydrologic Balance: Water Monitoring	☐	☐	☐	☐
4.e Hydrologic Balance: Effluent Limitations	☐	☐	☐	☐
5. Explosives	☐	☐	☐	☐
6. Disposal of Excess Spoil, Fills, Benches	☐	☐	☐	☐
7. Coal Mine Waste, Refuse Piles, Impoundments	☐	☐	☐	☐
8. Noncoal Waste	☐	☐	☐	☐
9. Protection of Fish, Wildlife and Related Environmental Issues	☐	☐	☐	☐
10. Slides and Other Damage	☐	☐	☐	☐
11. Contemporaneous Reclamation	☐	☐	☐	☐
12. Backfilling And Grading	☐	☐	☐	☐
13. Revegetation	☐	☐	☐	☐
14. Subsidence Control	☐	☐	☐	☐
15. Cessation of Operations	☐	☐	☐	☐
16.a Roads: Construction, Maintenance, Surfacing	☐	☐	☐	☐
16.b Roads: Drainage Controls	☐	☐	☐	☐
17. Other Transportation Facilities	☐	☐	☐	☐
18. Support Facilities, Utility Installations	☐	☐	☐	☐
19. AVS Check	☐	☐	☐	☐
20. Air Quality Permit	☐	☐	☐	☐
21. Bonding and Insurance	☐	☐	☐	☐
22. Other	☐	☐	☐	☐

4.a Hydrologic Balance: Diversions

Portions of the Refuse Pile channel were reconstructed on September 22 and 23, 2006. The September 28, 2006 Inspection Report (Insp. ID 1100) identified some concerns the Division had with the construction on the lower end of the channel. Mark Greenhalgh, Nielson Engineering, attended the meeting to explain the methods he used to rebuild the channel. He hand drew some cross-sections (included) depicting how the riprap was keyed into the bottom and sideslopes of the channel. He stated, that larger boulders were pressed against the west bank of the channel and smaller rocks were used to fill the voids. Mark stated that he was able to excavate a ramped keyway into the base of the channel to prevent riprap washing out of the channel. The keyway is about 24 to 30 inches deep. Large boulders were placed in the keyway that will keep the riprap locked into the channel bottom. No riprap will not be plucked out, which is apparently one contributing factor for the channel failure in September 2005. Dave Shaver pointed out that the embankment was at least two feet high on the west slope, one foot higher than the design standard for the water level. Dave mentioned that the steep embankment that was left intact on the lower west end of the channel looks natural in comparison to other sections of the Horse Canyon channel. He stated that he had confidence the channel met the design standards prepared by Tom Suchowski. Dave and Mark had hand-filled the voids of the riprap with smaller rock where the Division had expressed earlier concerns. The information they provided during the meeting satisfied those concerns about the channel. During the field visit, it was evident that another large storm had washed through the Refuse Pile channel and Horse Canyon channel. Culverts in the Horse Canyon channel had clogged and washed out. Water had initially backed up behind the culverts in the Horse Canyon channel to the point where it crested the channel bank and flowed down the access road east of the channel. When the flow overtopped the road, it washed out the culverts on the southeast side of the Horse Canyon channel. The flows hit the bottom (outlet) of the Refuse Pile channel with no apparent effect. Flows washing down the Refuse Pile channel deposited sediment into the channel, but did not damage the channel. The precipitation records were checked at Sunnyside City offices after the field visit to check data from their precipitation station. Gale, who works at the office, looked up the precipitation events for October and identified that a large storm occurred on October 3rd and 4th. The station recorded 3.5 inches for those two days. Another storm occurred on the 17th, yielding 0.8 inches of rainfall. This information helped substantiate confidence in the stability of the channel. Verbal approval was given that the construction work was found to be complete. UEI still has to spread the seed mixture. UPDATE, Jay Marshall was contacted on November 22 to see if the seed mixture had been spread over the site. He stated he had not, but would get it done by Monday, November 27, 2006.